



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1552

Introduced 2/22/2007, by Rep. Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.675 new

Creates the Service Station Road Safety Act. Provides that, on and after January 1, 2008, every service station in this State shall provide, during operating hours, water, compressed air, and a gauge for measuring air pressure to the public for use in servicing any passenger vehicle or any commercial vehicle with an unladen weight of 6,000 pounds or less, and shall make these services available at no cost to customers who purchase motor vehicle fuel. Requires every service station in this State to display, at a conspicuous place on, at, or near the dispensing apparatus, at least one clearly visible sign that states that the service station is required to provide free air and water for automotive purposes to its customers who purchase motor fuel and that contains the toll-free number for complaints. Requires the State Fire Marshal to maintain a toll-free number for complaints. Sets civil penalties for violation of the Act. Creates the Service Station Road Safety Fund with the money in the Fund to be appropriated to the State Fire Marshal for enforcement of the Act. Requires the State Fire Marshal to submit a written report on the compliance rate and the enforcement costs of the Act to the General Assembly no later than March 1, 2009. Amends the State Finance Act to create the Service Station Road Safety Fund. Effective January 1, 2008.

LRB095 08549 LCT 28730 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning road safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Service Station Road Safety Act.

6 Section 5. Findings. The General Assembly finds that air  
7 and water are essential to the safe operation of motor  
8 vehicles, and therefore public safety requires that free air  
9 and water be accessible at all service stations.

10 Section 10. Definitions. As used in this Act:

11 "Customer" means a person who purchases any product  
12 available for sale on the premises of the service station,  
13 including items not related to the repairing or servicing of a  
14 motor vehicle.

15 Section 15. Water; compressed air service. On and after  
16 January 1, 2008, every service station in this State shall  
17 provide, during operating hours, water, compressed air, and a  
18 gauge for measuring air pressure to the public for use in  
19 servicing any passenger vehicle or any commercial vehicle with  
20 an unladen weight of 6,000 pounds or less, and shall make these  
21 services available at no cost to customers who purchase motor

1 vehicle fuel.

2 Section 20. Signs. Every service station in this State  
3 shall display, at a conspicuous place on, at, or near the  
4 dispensing apparatus, at least one clearly visible sign that  
5 shall read as follows:

6 "ILLINOIS LAW REQUIRES THIS STATION TO PROVIDE FREE AIR  
7 AND WATER FOR AUTOMOTIVE PURPOSES TO ITS CUSTOMERS WHO  
8 PURCHASE MOTOR VEHICLE FUEL. IF YOU HAVE A COMPLAINT NOTIFY  
9 THE STATION ATTENDANT OR CALL THIS TOLL-FREE TELEPHONE  
10 NUMBER: 1(800) \_\_\_-\_\_\_\_."

11 As used in this Section, "automotive purposes" does not  
12 include the washing of vehicles.

13 Section 25. Toll-free number; complaints; civil penalties.

14 (a) The State Fire Marshal shall, no later than January 1,  
15 2008, establish a toll-free customer complaint telephone  
16 number. The toll-free telephone number shall be printed on the  
17 sign required in Section 20 of this Act.

18 (b) Notwithstanding any other provision of law, employees  
19 of the State Fire Marshal, upon inspection, or upon notice of a  
20 complaint forwarded pursuant to this Act, are empowered to  
21 investigate a complaint against a service station for lack of  
22 free air and water and, if substantiated, issue a citation to  
23 the station and assess a civil penalty of \$250 per valid  
24 complaint.

1           (c) No citation shall be issued if the air and water  
2 equipment is in good working order upon initial inspection or  
3 if the equipment is repaired to the satisfaction of the  
4 inspecting entity within 10 working days of the initial  
5 inspection.

6           (d) No citation based on nonfunctional air and water  
7 equipment shall be issued if the service station can establish  
8 that the equipment has been the target of repeated vandalism,  
9 substantiated by 3 or more police reports within 6 months  
10 detailing the vandalism.

11           Section 30. Service Station Road Safety Fund. Civil  
12 penalties collected under this Act shall be deposited into the  
13 Service Station Road Safety Fund, which is hereby created as a  
14 special fund in the State Treasury. Moneys in the Service  
15 Station Road Safety Fund shall be appropriated solely to the  
16 State Fire Marshal for enforcement of this Act.

17           Section 35. Report. The State Fire Marshal shall submit a  
18 written report on the compliance rate and the enforcement costs  
19 of this Act to the General Assembly no later than March 1,  
20 2009.

21           Section 80. The State Finance Act is amended by adding  
22 Section 5.675 as follows:

1 (30 ILCS 105/5.675 new)

2 Sec. 5.675. The Service State Road Safety Fund.

3 Section 99. Effective date. This Act takes effect January  
4 1, 2008.